

**Security Council**

Distr.: General

28 April 2017

Original: English

United States of America: draft resolution*The Security Council,**Recalling and reaffirming all its previous resolutions on Western Sahara,**Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), 2218 (2015), and 2285 (2016),**Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,**Reiterating its call upon the parties and the neighbouring states to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,**Recognizing that achieving a political solution to this long-standing dispute and enhanced cooperation between the Member States of the Maghreb Arab Union would contribute to stability and security in the Sahel region,**Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the United Nations Mission for the Referendum in Western Sahara (MINURSO), under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, and effective management of resources,**Emphasizing the need to regularly evaluate MINURSO's performance such that the mission retains the skills and flexibility needed to effectively carry out its mandate,**Further emphasizing that hiring, retention and assignment processes of the United Nations for MINURSO should allow for mission structures to quickly and easily adapt to changing operational environments, and noting the Secretary-General's intention to reform these processes to make the Organization more nimble,**Recognizing the important role played by MINURSO on the ground and the need for it to fully implement its mandate, including its role in supporting the Personal Envoy to achieve a mutually acceptable political solution,*

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals and *further encouraging* the neighbouring countries to make contributions to the political process,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and *recognizing* the importance of the parties committing to continue the negotiations process,

Encouraging the parties to resume cooperation with the United Nations Office of the High Commissioner for Refugees in implementing the January 2012 updated Plan of Action on Confidence-Building Measures, including programmes focused on linking people who have been divided for more than 40 years due to the conflict and *further encouraging* the parties to consider additional appropriate confidence-building measures,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and *encouraging* the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Encouraging the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps, including the freedoms of expression and association,

Welcoming in this regard, the recent steps and initiatives taken by Morocco, and the role played by the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco's interaction with Special Procedures of the United Nations Human Rights Council,

Commending the technical visit of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to Western Sahara in April 2015, and to the Tindouf refugee camps in July-August 2015, and strongly encouraging enhancing cooperation with OHCHR, including through facilitating further visits to the region,

Noting with deep concern the continued hardships faced by Sahrawi refugees and their dependency on external humanitarian assistance, and *further noting* insufficient funding for those living in Tindouf refugee camps and the risk of potential reductions in food assistance,

Reiterating its request for consideration of a refugee registration in the Tindouf refugee camps and *emphasizing* efforts be made in this regard,

Stressing the importance of a commitment by the parties to continue the process of negotiations through the United Nations-sponsored talks and *encouraging* the meaningful participation of women in these,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Expressing gratitude for the efforts of the Secretary-General's Personal Envoy for Western Sahara, Ambassador Christopher Ross, throughout his tenure, and *affirming* its continued full support for the Secretary-General's Personal Envoy for Western Sahara in facilitating negotiations between the parties, and *calling on* the parties and neighbouring states to cooperate fully with the Personal Envoy,

Affirming full support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Kim Bolduc,

Having considered the report of the Secretary-General of 10 April 2017 (S/2017/307),

1. *Decides* to extend the mandate of MINURSO until 30 April 2018;
2. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire and *calls on* the parties to adhere fully to those agreements;
3. *Recognizes* that the recent crisis in the buffer strip in Guerguerat raises fundamental questions related to the ceasefire and related agreements and *encourages* the Secretary-General to explore ways that such questions can be resolved;
4. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;
5. *Emphasizes* the importance of the parties' commitment to continue the process of preparation for a fifth round of negotiations, and *recalls* its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations, and *encourages* the neighbouring countries to make important contributions to this process;
6. *Calls upon* the parties to show political will and work in an atmosphere propitious for dialogue in order to resume negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), and 2218 (2015) and the success of negotiations;
7. *Affirms* its full support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context to relaunch the negotiating process with a new dynamic and a new spirit leading to the resumption of a political process with the aim of reaching a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations;
8. *Calls upon* the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;
9. *Invites* Member States to lend appropriate assistance to these talks;

10. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, *expresses its intention* to meet to receive and discuss his briefings and in this regard, *further requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

11. *Further requests* the Secretary-General to update the Security Council within six months of the appointment of the new Personal Envoy on (i) ways in which the Personal Envoy, working with the parties, is progressing towards a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and present a clear path forward; (ii) how MINURSO's performance measures are being developed and implemented (iii) how structures and staffing can be reorganized to achieve mission goals efficiently, and (iv) how new technologies are being considered to reduce risk, improve force protection, and better implement the mandate of MINURSO;

12. *Encourages* the parties to resume cooperation with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

13. *Urges* Member States to provide new and additional voluntary contributions to fund food programmes to ensure that the humanitarian needs of refugees are adequately addressed and avoid reductions in food rations;

14. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

15. *Supports* an increase in the ratio of medical personnel within the current uniformed authorization as requested in the most recent report of the Secretary-General to address the severely overstretched medical capacity of MINURSO;

16. *Decides* to remain seized of the matter.

**Security Council**

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Letter dated 25 April 2017 from the President of the Security Council addressed to the Secretary-General

Further to Ambassador Matthew Rycroft's letter of 15 March 2017, I have the honour to inform you that the members of the Security Council have agreed to send a mission to Colombia from 3 to 5 May 2017. They have also agreed on the terms of reference of the mission (see annex).

The mission will be led by Ambassador Matthew Rycroft (United Kingdom of Great Britain and Northern Ireland) and Ambassador Elbio Rosselli (Uruguay).

Following consultations with the members, it has been agreed that the composition of the mission will be as follows:

Ambassador Sacha Sergio Llorentty Solíz (Bolivia (Plurinational State of))
Ambassador Liu Jieyi (China)
Ambassador Amr Abdellatif Aboulatta (Egypt)
Ambassador Tekeda Alemu (Ethiopia)
Ambassador François Delattre (France)
Ambassador Sebastiano Cardi (Italy)
Ambassador Koro Bessho (Japan)
Ambassador Kairat Umarov (Kazakhstan)
Mr. Evgeny T. Zagaynov (Russian Federation)
Ambassador Fodé Seck (Senegal)
Ambassador Olof Skoog (Sweden)
Ambassador Volodymyr Yelchenko (Ukraine)
Ambassador Matthew Rycroft (United Kingdom of Great Britain and Northern Ireland)
Ambassador Michele Sison (United States of America)
Ambassador Elbio Rosselli (Uruguay)

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nikki Haley
President of the Security Council



Annex

Terms of reference of the Security Council mission to Colombia

1. The Security Council will carry out its mission to the Republic of Colombia in the context of Security Council resolutions 2261 (2016) and 2307 (2016).
2. The objectives of the mission are as follows:
 - (a) To demonstrate the Security Council's full commitment to the peace process in Colombia and its support for the implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace;
 - (b) To observe and support the efforts of the United Nations Mission in Colombia to implement its mandate in line with Security Council resolutions 2261 (2016) and 2307 (2016);
 - (c) To commend the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP) on bringing an end to the conflict in Colombia after more than 50 years;
 - (d) Recognizing the challenges involved in transitioning into a post-conflict environment, to understand the aspirations and concerns of the parties and other actors and to encourage the parties to maintain their positive cooperation and momentum in implementing the Agreement for the benefit of all Colombians;
3. The mission will seek to achieve these objectives through meetings with:
 - (a) The Government of Colombia;
 - (b) The United Nations Mission in Colombia;
 - (c) The tripartite Monitoring and Verification Mechanism;
 - (d) Senior representatives of the parties, with the Special Representative of the Secretary-General for Colombia and Head of the United Nations Mission in Colombia;
 - (e) Peace Commissions of Congress;
 - (f) Members of civil society and non-governmental organizations;
 - (g) The United Nations country team in Colombia.
4. The mission will also seek to achieve its objectives through a visit to a zone where FARC-EP are regrouping and laying down their arms, which will include briefings from the United Nations Mission in Colombia, Monitoring and Verification Mechanism teams and local community leaders.
5. The mission will seek to implement lessons learned from previous Security Council missions.

**Security Council**

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**Identical letters dated 26 April 2017 from the Chargé d'affaires
a.i. of the Permanent Mission of the Syrian Arab Republic to the
United Nations addressed to the Secretary-General and the
President of the Security Council**

Upon instructions from my Government, I write further to our previous letters detailing the Turkish regime's attacks on the sovereignty and territorial integrity of the Syrian Arab Republic. I now wish to bring to your attention the position of the Syrian Government regarding the Turkish regime's latest act of aggression.

The Government of the Syrian Arab Republic condemns in the strongest possible terms the Erdoğan regime's recent flagrant attack on the territorial integrity of Syria. On 25 April 2017, Turkish warplanes bombarded locations in north-east Syria, killing dozens of innocent Syrian civilians.

The Government of the Syrian Arab Republic stresses that the attack contravenes international law, the Charter of the United Nations and the principle of good neighbourly relations. It warns against any actions taken against its sovereignty, territorial integrity or people.

The Government of the Syrian Arab Republic calls on the Secretary-General and the Security Council to condemn this act of aggression and the Turkish regime's pro-terrorist policies.

I should be grateful if the present letter could be issued as a document of the Security Council.

(Signed) Mounzer **Mounzer**
Minister Plenipotentiary
Chargé d'affaires a.i.



**Security Council**

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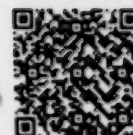
**Letter dated 26 April 2017 from the Permanent Representative of
Uruguay to the United Nations addressed to the Secretary-General**

I have the honour to inform you that, during its presidency of the Security Council in May 2017, Uruguay plans to hold an open debate on 25 May 2017 on the topic "Protection of civilians and medical care in armed conflict".

In order to help guide the debate, Uruguay has prepared a concept note which is attached hereto (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Elbio **Rosselli**
Ambassador
Permanent Representative of Uruguay
to the United Nations



Annex to the letter dated 26 April 2017 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General

[Original: English]

Concept note for the Security Council open debate on the protection of civilians and medical care in armed conflict, to be held on 25 May 2017

Background

On 3 May 2017, it will be one year since the Security Council adopted its landmark resolution 2286 (2016), concerning the protection of civilians — its first resolution dedicated solely to the protection of medical care in armed conflict. In the resolution, the Council condemns attacks and threats against “the wounded and sick, medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities” (hereinafter “medical care in armed conflict”). It reiterates the relevant legal framework and calls on all parties to armed conflicts to fully comply with their obligations under international law, including international human rights law, as applicable, and international humanitarian law, in particular their obligations under the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977 and 2005.

The resolution provides that States and, as appropriate, parties to conflict, should take action in several areas, including facilitating the safe passage of relevant personnel and supplies to people in need; developing measures to prevent and address acts of violence, attacks and threats against medical care in armed conflict; adopting practical protection measures in the planning and conduct of their operations; or conducting investigations into potential violations of relevant international law and adopting remedial measures.

Resolution 2286 (2016) contains specific requests for the Secretary-General, with the aim of ensuring the implementation of the text with consistent follow-up by the Security Council. The Council notably requests the Secretary-General to include, in his country-specific and other relevant thematic reports that address the protection of civilians, the issue of medical care in armed conflict; to provide recommendations on measures to enhance the protection of, and prevent acts of violence against, medical care in armed conflict, and to better ensure accountability for such acts; and to brief the Council every 12 months on the implementation of the resolution.

The recommendations of the Secretary-General under resolution 2286 (2016) contain three types of measures: (a) preventive measures that Member States should take to promote respect for medical care in armed conflict, both within their own jurisdiction and in their external relations, both in times of peace and in conflict; (b) practical precautions that parties to conflict should take to prevent and minimize civilian harm in the planning and conduct of hostilities; (c) corrective measures to ensure accountability, the provision of reparation and assistance, and the continuous improvement of applicable rules (see S/2016/722). To inform such efforts, the recommendations stress the need for systematic and impartial investigations into specific incidents, and regular data collection and analysis. On all those fronts, Member States and parties to conflict have the primary responsibility to take action. On some issues (e.g., data collection, awareness-raising or training), the United Nations and humanitarian organizations have a role to play, informing or supporting

national efforts. Regarding investigations and accountability, when States fail to act, the Security Council should consider using all the tools at its disposal (e.g. ad hoc fact-finding missions, commissions of inquiry, tribunals or referrals to the International Criminal Court). Accountability is a crucial element for enhancing compliance with international humanitarian law and human rights law, as it contributes to preventing serious violations by spreading the message that they will not be tolerated.

The Secretary-General presented his recommendations in a briefing to the Council in September 2016. On that occasion, he underlined that attacks and access restrictions on medical care were signs of a broader erosion of respect for international humanitarian law, and called for a global effort to enhance respect for the laws that safeguard humanity.

In its resolution 1894 (2009), on the protection of civilians in general, the Security Council recognized its responsibility in this regard — noting that “the deliberate targeting of civilians as such and other protected persons, and the commission of systematic, flagrant and widespread violations of applicable international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security”, reaffirming “its readiness to consider such situations”, and “acknowledging the enduring need for the Security Council and Member States to strengthen further the protection of civilians”. In its most recent presidential statement on the protection of civilians in general (S/PRST/2015/23 of 25 November 2015), the Council recalled “the importance of ensuring compliance with international humanitarian law and international human rights law”, underscored “the importance it attaches to protection of civilians as one of the core issues on its agenda”, and expressed its intention “to continue addressing this issue regularly, both in country-specific considerations and as a thematic item”.

The issuance of the Secretary-General’s first protection of civilians report pursuant to resolution 2286 (2016), in the same month as the first-year anniversary of the adoption of that resolution, provides an opportunity for the Security Council to mobilize the international community in an open debate around the issue of medical care in armed conflict, take stock of the implementation of resolution 2286 (2016) and discuss how these aspects connect to broader protection of civilians issues, as described in the report of the Secretary-General. The report highlights both the persistence of attacks and access restrictions on medical care and the fact that such acts, along with other atrocities, are part of a broader trend of disregard for the protection of civilians and international humanitarian law. Reviving compliance with those norms appears in the report as a central component of the vision of the Secretary-General on the protection of civilians.

Scope of the open debate

Uruguay, which will hold the presidency of the Security Council for the month of May 2017, will convene a ministerial-level open debate on the protection of civilians to discuss the issue of protection of medical care in armed conflict, including a first stocktaking exercise on the implementation of Security Council resolution 2286 (2016).

The open debate will also allow participants to put this issue in a broader context, connecting it to overarching protection of civilians issues and to a forward-looking protection of civilians agenda, based on the report of the Secretary-General. It will also provide an opportunity for all Member States to put forward the actions that they have taken in order to improve the protection of medical care in armed conflict pursuant to resolution 2286 (2016), and to discuss publicly the

recommendations of the Secretary-General and the way forward on the broader protection of civilians agenda.

Objectives

- To assess the implementation of resolution 2286 (2016) 12 months after its adoption;
- To allow the broader United Nations membership to express its views on how to improve the protection of medical care in conflict, the implementation of resolution 2286 (2016), and the recommendations of the Secretary-General to that end and the broader protection of civilians agenda;
- To analyse measures taken to prevent or reduce the negative impact of attacks on health-care facilities and personnel and the denial of humanitarian aid to the most vulnerable populations, including children;
- To explore ways to improve the systematic collection and reporting of data and the investigation of incidents and to better ensure accountability for such acts;
- To link the topic of the protection of medical care in armed conflict to overarching protection of civilians issues, including, compliance with international humanitarian law and human rights law, accountability for violations thereof, humanitarian access, protection of civilians in peacekeeping operations and actions to address forced displacement;
- To discuss ways to better address the above-mentioned issues, based on the report of the Secretary-General.

Date and time

25 May 2017 at 10 a.m.

Outcome

An informal summary of speakers and interventions by Member States during the open debate will be shared with Council members.

Speakers

- The Secretary-General
 - The President or Vice-President of the International Committee of the Red Cross
 - The Deputy Executive Director for Advocacy of Human Rights Watch, Bruno Stagno Ugarte.
-